



## Department of Public Utilities

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February 28, 2017

Ms. Kassy D. Chauhan, P.E., Senior Sanitary Engineer  
State Water Resources Control Board, Drinking Water Section  
Merced District, Central California Section  
265 West Bullard Ave, Suite 101  
Fresno CA 93704

**Subject:** Response to EPA Lead and Copper Rule Recommendations

Dear Ms. Chauhan:

Thank you for your letter of February 17, 2017, describing State Water Resources Control Board's (SWRCB) recommendations for the City's Lead and Copper Rule (LCR) compliance program. We have also had an opportunity to review the EPA's letter of January 19, 2017, from which the recommendations were developed. We greatly appreciate the SWRCB allowing the City of Fresno to submit this letter in response to EPA's recommendations.

The safety of our residents' water supply is the highest priority for the City, and we greatly appreciate the EPA providing a third-party, independent review of the City's LCR compliance data. We are very pleased with the EPA's findings that the City's residents were appropriately protected from lead and copper in the water distribution system, as the City has complied with the LCR Action Levels (ALs) for every LCR sampling event conducted from initial program inception in 1993 to the most recent sampling event conducted in 2015. This is welcome news for the City and our residents, and is consistent with water quality data which indicates that the City's water system has been optimized for corrosion control treatment since July 1993.

Our responses to the specific EPA recommendations are summarized in the numbered paragraphs presented below. Please note that our responses to EPA's recommendations build upon EPA's findings that the City has never been in violation of the LCR, and the City's water quality data indicates that the City's water system has been optimized for corrosion control treatment since July 1993.



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1. **Revise the lead and copper tap sampling strategy to identify more representative samples of water quality in the distribution system and submit to the Division by March 19, 2017.**

The City is prepared to update and revise the City's approved list of LCR sampling sites. To update and revise the list of LCR sampling sites, the City will work to identify sites that represent the varying water distribution water quality conditions that exist in the City's water system, including groundwater, surface water, and blended groundwater and surface water. However, in an effort to identify, verify and validate that potential new sites are suitable to add to the City's list of approved LCR sampling sites, the City respectfully requests that this deadline be adjusted to June 30, 2017. This request to move the submittal date to June 30<sup>th</sup> is based on the time required to conduct the necessary property records research, property owner contacts, and onsite plumbing inspections to ensure that potential new sites meet the LCR site requirements.

The City's site selection process for new LCR sampling sites shall be in accordance with current LCR regulations for site selection, specifically:

- a. Single-family structures that contain copper pipes with lead solder installed after 1982 (Tier 1); or
- b. Single-family structures that contain copper pipes with lead solder installed before 1983 (Tier 3 sites); or
- c. Single-family structures that contain lead pipes (Tier 1); or
- d. Single-family structures served by a lead service line (Tier 1).

As you are well aware, the City's water service area does not include single-family structures with lead service lines or lead pipe. Accordingly, the City's efforts to update the City's approved list of LCR sampling sites will be limited to homes that have copper plumbing with lead solder, and that are geographically distributed within the City's water service area to reflect the varying water quality conditions that are present in the water system. In accordance with §64676 (Sample Site Selection) of Title 22 Code of Regulations, if an insufficient number of Tier 1, Tier 2 or Tier 3 sites can be identified, the City shall complete its LCR sampling plan with representative sites (i.e., plumbing materials commonly found at other sites) present in the City's distribution system. This may include copper piping with no solder, PEX piping, and galvanized piping.

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2. **The City should return to initial lead and copper tap monitoring frequency.**

The City questions the purpose of returning to the initial lead and copper tap monitoring frequency, given that the EPA has determined that the City has never been in violation of the LCR, and the City's water quality data indicates that the City's water system has been optimized for corrosion control treatment since July 1993. However, with the preparation of a new list of LCR sampling sites, and in the interest of full transparency, the City will agree to return to the initial lead and copper tap monitoring frequency to confirm LCR compliance with the new sites added to the City's LCR sampling plan.

For this recommendation, the City respectfully requests that the first round of new LCR samples be due to the SWRCB by October 10, 2017. This request is related to the time required to identify, verify and validate new potential new sites for inclusion in the City's new LCR sampling plan. In addition, the LCR specifically requires that LCR samples be collected during the months of June, July, August, or September. Therefore, with the completion of the new LCR sampling plan by June 30, 2017, the City will collect 100 LCR samples during June, July, August, and September, and submit the LCR data to the SWRCB by October 10, 2017. Additionally, the City agrees to remain on the 6-month monitoring frequency at 100 sites until the City completes two rounds of LCR testing after the Southeast Surface Water Treatment Facility (SESWTF) is placed into service (tentatively scheduled for June 30, 2018).

Upon completion of two rounds of 6-month LCR testing at 100 sites after the SESWTF is placed into the service, the City will return to LCR sampling and testing once every three years, and at a reduced number of 50 sampling sites, provided the 90th percentile values for lead and copper are below the action levels. We believe this is a reasonable and appropriate request given that the EPA has confirmed that City has never been in violation of the LCR, and the City's water quality data indicates that the City has been optimized for corrosion control treatment since July 1993.

3. **The City should conduct initial water quality parameter (WQP) monitoring at entry points and within the distribution system.**

Once again, the City questions the purpose of returning to initial WQP monitoring at entry points to the distribution system, given that the EPA has confirmed that City has never been in violation of the LCR, and the City's water quality data indicates that the City has been optimized for corrosion control treatment since July 1993. However, in the interest of full transparency, and to provide additional data to the regulatory agencies to further

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validate that the City's water system operations and management practices are optimized for corrosion control treatment, the City will agree to conduct initial WQP monitoring at the entry points to the distribution system as described below.

The City has approximately 237 active wells and two surface water treatment plants. For this recommendation the City will collect two WQP monitoring samples from each well, each surface water treatment plant, and 25 sample tap locations (264 total site locations) during a first 6-month monitoring period, and during a second 6-month monitoring period (528 total samples collected for each 6-month period). The 25 sample tap locations to be sampled during the first two 6-month WQP monitoring periods shall be pulled from the revised list of LCR sampling sites, and existing distribution system monitoring sites used by the City for other regulatory compliance monitoring. The City will work to identify sites that represent the varying water distribution water quality conditions that exist in the City's water system, including groundwater, surface water, and blended groundwater and surface water.

The WQP constituents to be tested and reported during the first two 6-month WQP monitoring periods shall consist of wellhead pH and laboratory pH for wells; entry point pH for surface water treatment plants; alkalinity for wells; alkalinity dosage rate and concentration for surface water treatment plants; orthophosphate dosage rate (only at entry points where an inhibitor containing a phosphate compound is used); orthophosphate concentration; calcium; conductivity; and water temperature. These WQP monitoring samples shall be collected twice from each of 264 sample sites during the first two 6-month WQP monitoring periods.

The City will submit the first 6-month round of WQP monitoring samples to the SWRCB by October 10, 2017, and the second 6-month round of WQP monitoring samples by June 30, 2018.

Given that the EPA has confirmed that City has never been in violation of the LCR, and the City's water quality data indicates that the City's water system has been optimized for corrosion control treatment since July 1993, the City proposes the following for ongoing WQP monitoring (after the first two 6-months WQP monitoring events are complete). The City will collect WQP monitoring samples at each entry point, and from a reduced number of 10 sample tap locations within the distribution system, once each calendar year, with the results for the first ongoing WQP monitoring period submitted prior to June 30, 2019, and then each calendar year thereafter. The ongoing WQP monitoring constituents will include the parameters described above for the first two 6-month monitoring periods.

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Again, we believe this is a reasonable and appropriate request given that the City has never been in violation of the LCR, and the City's water quality data indicates that the City has been optimized for corrosion control since July 1993.

4. **The Division of Drinking Water will be establishing water quality parameters for the Northeast Surface Water Treatment Plant.**

Recommendation noted. Given that the EPA has determined that the City has never been in violation of the LCR, and the City's water quality data indicates that the City has been optimized for corrosion control since July 1993, the City is eager to work with the SWRCB to prepare permit conditions, and revisions to the Operations Plan, to ensure that the City's water system remains optimized for corrosion control treatment.

5. **The City will be required to initiate corrosion control requirements if the System fails to be deemed optimized for corrosion control.**

Recommendation noted. Given that the EPA has determined that the City has never been in violation of the LCR, and the City's water quality data indicates that the City has been optimized for corrosion control since July 1993, the City is eager to work with the SWRCB staff to conduct the necessary corrosion control studies, and provide the required documentation, to ensure that the City's water system remains optimized for corrosion control treatment.

This concludes our response to your letter of February 17, 2017. Thank you very much for the opportunity to present our proposed action plan in response to EPA's recommendations. Once again, we are very pleased that the EPA has independently determined that the City has never been in violation of the LCR, and that the City's water quality data indicates that the City has been optimized for corrosion control since July 1993. EPA's independent review, and confirmation of our LCR compliance, has been an important milestone for the City and our residents.

In closing, I want to express our eagerness to work with the SWRCB staff to implement the action plan as described in this letter. We look forward to continuing to work in partnership with the SWRCB to continue our record of performance and to remain in compliance with the LCR for years to come. We are currently working to update our LCR sampling plan, and prepare our WQP monitoring sampling plan. We look forward to scheduling a meeting soon with SWRCB staff to discuss updating and revising the City's permit conditions and operations plans for the City's water system.

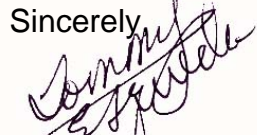
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If you have any questions, or require additional information, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Esqueda", written over a light-colored rectangular background.

Thomas C. Esqueda  
Director

cc: Honorable Mayor Lee Brand  
Bruce Rudd, City Manager  
Douglas Sloan, City Attorney